

FARMINGTON POLICE DEPARTMENT

POLICY AND PROCEDURE



Policy Number:
126-01

Effective Date:
09/28/2016

Subject:
Disciplinary Procedures

Approved by:

A handwritten signature in black ink, appearing to read "S.D. Hebbe".

Steven D. Hebbe, Chief of Police



PURPOSE:

To promote effective discipline that can be implemented in a positive and instructional manner.

POLICY:

It is the policy of the Farmington Police Department to maintain a copy of the Code of Conduct and Policy and Procedures Manual, and to provide guidelines for supervisors in carrying out disciplinary actions.

PROCEDURE:

The Department maintains a Code of Conduct which is distributed to all employees. This Code addresses both behavior and appearance for Department personnel.

Employees may access current policies and procedures at any time by accessing PowerDMS.

The Department prescribes progressive discipline with a recurring employee problem. Procedures and criteria for discipline such as written reprimands, suspension, demotion, and dismissal are governed by the City Personnel Rules Sections 21-7-1 through 21-7-12, as well as grievance and appeal procedures. The Department will abide by the Peace Officer's Employer-Employee Relations in Sections 29-14-1 through 29-14-11 of the New Mexico Criminal and Traffic Law Manual.

All Department supervisors have the following specific authority in disciplinary matters:

To suspend an employee in an emergency situation, which includes but may not be limited to, allegations of criminal misconduct, serious violations of city or department policy, necessity to maintain integrity of a department investigation, a department supervisor may relieve any subordinate employee from duty when such action is in the best interest of the department.

1. In such situations, outside of normal business hours, the patrol supervisor shall have supervisory authority over all department employees, civilian or commissioned.
2. In all such circumstances, the supervisor shall make appropriate chain of command notifications in a timely manner.

In any matters involving disciplinary actions (*Coaching* does not constitute discipline), the supervisor initiating the action will make suggestions as to the appropriate discipline to be taken. Those recommendations are reviewed through the chain of command for suggestions or comments, with the Chief of Police having final authority.

If an investigation of an employee results in dismissal, the following information will be provided to the employee:

1. A statement citing the reason for dismissal;
2. The effective date of the dismissal;
3. A statement of the status of fringe and retirement benefits after dismissal;
4. A statement as to the content of the officer's employment record relating to the dismissal.

Records of individual disciplinary actions are forwarded to the City Personnel Department. They are filed in the City personnel file of the individual involved, and are permanently maintained, pursuant to City Personnel Rules Sections 21-7-4 through 21-7-7. Copies are forwarded to the individual and the Department. Department copies are maintained in the Department personnel file.

Any grievances or appeals of disciplinary action will follow the guidelines in City Personnel Rules Sections 21-10-3, 21-10-5 and 21-7-9 through 21-7-11.

Coaching/Training in lieu of Discipline:

Supervisors dealing with an individual within the Department who is not performing as expected may recognize that it is a coaching/training issue and not necessarily a disciplinary problem. In such cases, the supervisor should identify the area(s) of coaching/training needed, when and where it is available, and arrange for the employee to have the time off necessary to attend the training. It is the supervisor's responsibility to monitor the training progress and determine if it is beneficial to the employee and if it is addressing the original problem.

Counseling as a Form of Discipline:

Supervisors should consider counseling an employee in conjunction with disciplinary measures as an avenue to correct a problem. Counseling is a positive means of addressing a minor situation at the on-set. Once the problem is recognized the supervisor identifies the problem to the employee with corrective recommendations. Documentation on the individual's progress or the lack of progress is maintained in the Administrative Investigations Management File (working file) by the supervisor as part of the employee's next annual evaluation.

Employee Assistance Program Counseling:

Should it appear that an employee's work is being influenced by emotional or psychological problems, it may be recommended that the employee seek counseling through the City's Employee Assistance Program. If the employee refuses to seek counseling, the supervisor may make a recommendation through the chain of command that it be mandatory. The final decision will be left to the Chief of Police or designee.

Posting of Internal Affairs and Citizen Complaint Summary:

It is the policy of the Farmington Police Department to post a summary of internal affairs and citizens' complaints each month. The summary shall contain the supervisor, non-supervisor, or non-certified status of the employee. A caption of the title of offenses alleged and/or committed will be accompanied by a synopsis of the findings of the investigation. The name of the affected employee shall not be included in the internal affairs/citizen complaint summary. Copies of the internal affairs/citizen complaint summary will be posted on Departmental bulletin boards, and disseminated to each departmental supervisor, as well as to the City Manager and CPAC board.